



**JOINT MEETING OF THE  
NYE COUNTY BOARD OF COMMISSIONERS  
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS  
NYE COUNTY LICENSING AND LIQUOR BOARD  
NYE COUNTY BOARD OF HEALTH**

**AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP  
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY GABBS MANHATTAN  
AND AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT**

**2100 E. Walt Williams Drive, Pahrump, NV 89048**

**October 17, 2023**

**10:00 a.m.**

**Subject to technical difficulties, people may participate by calling 1-888-585-9008 and entering conference room number 255-432-824. Technical difficulties may occur before or during the meeting preventing your ability to call in.**

**The Chair of the Board of County Commissioners will open public comment periods by announcement. Commenters must press \*9 on their telephone keypads to notify Administration they wish to speak.**

**The meeting is also viewable at [www.nyecountynv.gov](http://www.nyecountynv.gov). There is a 30 to 40 second delay between the in-person meeting and the meeting video.**

**NOTE:** All items are approximate except for bid openings, public hearings, and any other items agendaized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on October 17, 2023 will be fully completed on that date. However, should item(s) not be completed, it is possible item(s) could be carried over and be heard before the Board of Commissioners beginning at 8:30 a.m. on the next day.**

**Public Comment** during the Commission Meeting on October 17, 2023 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person may be heard during individual action items. The Commission reserves the right to reduce the time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting. **Decorum** during the meeting must be upheld pursuant to the BOCC Rules of Procedure sections 7.5.3 and 7.5.4 whereby no person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting. Any person who becomes disruptive or interferes with the orderly business of the Board may be removed from the Board Chambers or other meeting room for the remainder of the meeting.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougher Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

**ITEM # SUBJECT**

**October 17, 2023**

Additional Posting Locations: Amargosa Valley Community Center, 821 E. Amargosa Farm Rd., Amargosa Valley, NV; Beatty Community Center, 100 South A Ave., Beatty, NV; Gabbs Town Hall, 503 Brucite St., Gabbs, NV; Round Mountain Community Center, 650 Civic Dr., Round Mountain, NV

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public at the County Manager's Office (101 Radar Road, Tonopah, Nevada & 2100 E. Walt Williams Drive, Pahrump, Nevada) and on the County's website, or by calling Administration at (775) 482-8192

**WEBSITE:** [www.nyecountynv.gov](http://www.nyecountynv.gov)

Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Nye County Manager's Office in writing or call 775-482-8192 prior to the meeting.

- 1. Pledge of Allegiance**
- 2. GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (FIRST).**
- 3. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 4. Approval of the Agenda for October 17, 2023 (Non-action item)**
- 5. For Possible Action – Emergency Items**

## SITTING AS THE BOARD OF COUNTY COMMISSIONERS

### TIMED ITEMS

- 6. [Presentation](#)** of certificates and/or plaques to twelve (12) employees honored for their years of service.
- 7. 10:00 a.m. – [For Possible Action](#)** – Discussion and deliberation regarding the monthly statement of county treasurer pursuant to NRS 354.280 including receipts, balances in funds, money on deposit, outstanding checks, and cash on hand.
- 8. 10:00 a.m. – [Presentation](#)** by Daniel Weeks, General Manager of the Nye County Water District Governing Board, regarding Cloud Seeding Program results pursuant to the Nye County ARPA Recovery Plan and Policy: Infrastructure Grant. (10-minute time limit)
- 9. 10:00 a.m. – [For Possible Action](#)** – Continued Public Hearing, discussion and deliberation to adopt, amend and adopt or reject Nye County Bill No. 2023-11: A Bill Banning Helicopter, Motorized Vehicles or Drone Roundups of Wild Horses and Burros Within the Boundaries of Nye County; providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto.
- 10. 10:00 a.m. – [For Possible Action](#)** – Public Hearing, discussion, and deliberation on ETSU-23-11: An application for a Special Use Permit to allow a Cannabis Establishment (Cultivation and Production) located at 6041 S. Hafen Ranch Road, Pahrump, NV. Assessor's Parcel Number 045-131-48. R Land Company, LLC – Property Owner. Nevada Natural Medicines, Scott Sibley – Applicant.

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 17, 2023

## SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

11. [For Possible Action](#) – Discussion and deliberation regarding verbal or written activity reports provided by Town of Pahrump Committees: Pahrump Arena Advisory Committee, Nuclear Waste and Environmental Advisory Committee, Pahrump Off Highway Vehicle Park Advisory Committee, Pahrump Public Lands Advisory Committee, Pahrump Tourism Advisory Committee, or Pahrump Veterans Memorial Advisory Committee, and direction from the Board regarding the activity reports.

## SITTING AS THE BOARD OF COUNTY COMMISSIONERS

12. **CONSENT AGENDA ITEMS – These are items that Staff recommends for approval. The Board reserves the right to move any consent agenda item to the regular segment of the agenda should issues arise that need to be addressed. Discussion of any item from the Consent Agenda Items that needs review before a decision is made.**
  - 12.1 [For Possible Action](#) – Approval of the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
  - 12.2 [For Possible Action](#) – Approval of the meeting minutes from the joint meeting on August 1, and September 6, 2023.

## BOARD OF COMMISSIONERS

13. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject one (1) contract for Public Defender Services from the following list of applicants: Julio Garcia, Karl Shelton, and Mark Shockley.
14. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject an updated letter of intent to purchase or exchange or a combination thereof one (1) property described as a 10-acre (a portion of) 171 N. Floyd Dr., Pahrump, NV. Assessor's Parcel Number TBD, consisting of a 10.00-acre Light Industrial (LI) zone; for the potential purpose of county facility expansion needs.
15. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject an updated letter of intent to purchase or exchange or a combination thereof one (1) property described as 1871 E. Mesquite Ave., Pahrump, Nevada Assessor's Parcel Number: 035-011-06, consisting of 36.08 acres including improvements thereon for the potential purpose of an alternative location for shooting range and future Pahrump landfill expansion needs.

## CLERK

16. [For Possible Action](#) – Discussion and deliberation to waive the 90-day hiring wait period and fill a vacant Deputy Clerk III, position #12032-003, in the Clerk's Office effective immediately due to the employee resigning on October 02, 2023.
17. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Northern Nye County Hospital District Board of Trustees due to a resignation from the following list of applicants: Charles S. Keller; and/or 2) Readvertise for the appointment.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 17, 2023

### PUBLIC ADMINISTRATOR

18. [Presentation](#) regarding the quarterly report from the Public Administrator on deceased person cases that are open, closed, pending, NCPA Creditor Claims, non-cases or cases that have been turned over to family.

### COUNTY MANAGER

19. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time and location for a Public Hearing on Nye County Bill No. 2023-22: A Bill proposing to amend Nye County Code Title 2 Administration and Personnel, Chapter 2.88, License Department; amending Section 2.88.020 Responsibilities; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.
20. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time and location for a Public Hearing on Nye County Bill No. 2023-20: A Bill proposing to amend Nye County Code Title 5, Business Licenses and Regulations, Chapter 5.16, entitled Outdoor Festivals, by Amending Section 5.16.030 Application for License: Time; Contents; Amending Section 5.16.040 Hearing: Notice; Investigation; Grant, Denial or Conditioning of License; Issuance of License; and amending Section 5.16.060 Denial of License: Grounds; Notice, providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto.
21. [For Possible Action](#) – Presentation, discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2023-30: A Resolution Establishing the Nye County Safety Improvement Subsidy Program.

### FINANCE

22. [For Possible Action](#) – Discussion and deliberation to: 1) Determine if sufficient financial resources are available to increase the compensation of Justice of the Peace pursuant to NRS 4.040; for Fiscal Year 2023-2024; 2) Approve, amend and approve or reject increase compensation; and 3) Set effective date.

### PLANNING/BUILDING/CODE COMPLIANCE

23. [For Possible Action](#) – Discussion and deliberation to approve an application for an Adult Use Cannabis License (Cultivation) CBL-23-34 located at 6041 S. Hafen Ranch Road, Pahrump, NV. Assessor's Parcel Number 045-131-48. R Land Company, LLC – Property Owner. Nevada Natural Medicines, Scott Sibley – Applicant.
24. [For Possible Action](#) – Discussion and deliberation to approve an application for an Adult Use Cannabis License (Production) CBL-23-35 located at 6041 S. Hafen Ranch Road, Pahrump, NV. Assessor's Parcel Number 045-131-48. R Land Company, LLC – Property Owner. Nevada Natural Medicines, Scott Sibley – Applicant.
25. [For Possible Action](#) – Discussion and deliberation to approve an application for a Medical Use Cannabis License (Cultivation) CBL-23-36 located at 6041 S. Hafen Ranch Road, Pahrump, NV. Assessor's Parcel Number 045-131-48. R Land Company, LLC – Property Owner. Nevada Natural Medicines, Scott Sibley – Applicant.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**October 17, 2023**

26. [For Possible Action](#) – Discussion and deliberation to approve an application for a Medical Use Cannabis License (Production) CBL-23-37 located at 6041 S. Hafen Ranch Road, Pahrump, NV. Assessor’s Parcel Number 045-131-48. R Land Company, LLC – Property Owner. Nevada Natural Medicines, Scott Sibley – Applicant.

**PUBLIC WORKS**

27. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Novation Agreement between Nye County, Farr West Engineering and DOWL, LLC for the purpose of transferring the Professional Services Agreement dated February 5, 2019 for the design and replacement of the Gabb's sewer collection system; and 2) Execute the Agreement.

**PUBLIC PETITIONER**

28. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation P2023-08: A Proclamation Recognizing October as Italian American Heritage Month in Nye County.
29. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation P2023-09: A Proclamation Recognizing October 15, 2023 as White Cane Safety Day in Nye County.
30. **GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (SECOND).**
31. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**

**32. ADJOURN**

**Nye County Board of County Commissioners Meeting Participation Information:**

- Call **1-888-585-9008** and enter conference room code **255-432-824**.
- Public comment periods will be opened by announcement.
- Commenters must press \*9 if they wish to speak. You will hear “the organizer sees your raised hand” when the control has been properly engaged.
- When it is your turn to give comment, you will hear “you may now speak” and must identify yourself by saying and spelling your first and last name.

**Notes:**

- The meeting is viewable at [http://nyecounty.granicus.com/ViewPublisher.php?view\\_id=4](http://nyecounty.granicus.com/ViewPublisher.php?view_id=4) there will be a 40 second delay from the video to the call.
- Report issues to Nye County Admin at [nyeadmin@co.nye.nv.us](mailto:nyeadmin@co.nye.nv.us) or by calling 775-482-8192